Doc ID: 000899760003 Type: CRP
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Fee Amt: $20.00 Page 1 of 3
Pitt County, NC
Judy J. Tart Register of Deeds
BK 2234 PG 305-307

file

RETURN TO:
Ward and Smith, P.A.
P.O. Box 8088
Greenville, NC
27835-8088

Instrument prepared by:
Blane Rice
State Property Office, Dept. Of Administration,
1321 Mail Service Center, Raleigh, NC 27699-1321

~~Mail after recording to:~~
Lee Lewis Leidy, Attorney
North Carolina Coastal Land Trust
701 W. Ocean Acres Drive
Kill Devil Hills, N. C. 27948

SPO File Number 74-AAAW

ASSIGNMENT OF CONSERVATION EASEMENT

STATE OF NORTH CAROLINA
COUNTY OF PITT

THIS ASSIGNMENT is made on the 14th day of December 2006, by and between **NORTH CAROLINA COASTAL LAND TRUST** to the **STATE OF NORTH CAROLINA**, (the "**State**" or "**Assignee**") acting by and through the **NORTH CAROLINA ECOSYSTEM ENHANCEMENT PROGRAM** ("**EEP**").

WITNESSETH:

WHEREAS, EEP has agreed to provide funding to **NORTH CAROLINA COASTAL LAND TRUST** for the purchase of a Conservation Easement over 37.463 acres of certain real property situated along the Tar River in Falkland Township, Pitt County, as more particularly described in that Conservation Easement referenced hereinbelow; and

WHEREAS, pursuant to the funding, **NORTH CAROLINA COASTAL LAND TRUST** has, on the 14th day of December, 2006, acquired a Conservation Easement, over certain property of Walter J. Pories and wife, Mary Ann Rose, and Francesca, LLC, a North Carolina Limited Liability Company, which Easement is recorded in Deed Book 2234, Page 292, Pitt County Registry: and

WHEREAS, in furtherance of the terms and conditions of the Grant Agreement, **NORTH CAROLINA COASTAL LAND TRUST** desires to assign its right, title, and interest in the Conservation Easement to the **State**, and the **State** has agreed to this Assignment.

NOW, THEREFORE, in consideration of funding paid by **EEP** to the **NORTH CAROLINA COASTAL LAND TRUST,** the mutual benefits accruing to the **State**, the **NORTH CAROLINA COASTAL LAND TRUST** and the public from the Conservation Easement herein referenced and assigned, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the **NORTH CAROLINA COASTAL LAND TRUST** conveys and assigns to the **State of North Carolina**, acting by and through the **North Carolina Ecosystem Enhancement Program**, all the rights, title, easement, privilege and interest (and subject to all conditions contained therein), in that Conservation Easement conveyed to the **NORTH CAROLINA COASTAL LAND TRUST** by Walter J. Pories and wife, Mary Ann Rose, and Francesca, LLC, a North Carolina Limited Liability Company, dated the 13th day of December, 2006, and recorded in Deed Book 2234, Page, 292, Pitt County Registry.

The **NORTH CAROLINA COASTAL LAND TRUST** hereby expressly reserves from this Assignment the nonexclusive rights initially acquired by the Conservation Easement to monitor, enforce and maintain the Conservation Easement and to access the property for such purposes as described in the easement.

TO HAVE AND TO HOLD the said right, privilege and easement herein granted and assigned to the **State of North Carolina**, its successors and assigns in perpetuity.

AND the **Assignor** covenants that it is properly vested with the Conservation Easement; has the right to assign the same to the **Assignee**; that the Easement is free from encumbrances except as may be expressly excepted to by the terms and conditions of the Conservation Easement; and that the **Assignor** will warrant and defend title to the same against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the **NORTH CAROLINA COASTAL LAND TRUST**, has executed the foregoing in its corporate name, under seal, signed by the Vice-President with proper authorization by its Board of Directors, the date and year first above written.

NORTH CAROLINA COASTAL LAND TRUST

By: _____

MICHAEL MURCHISON, VICE-PRESIDENT

ATTEST:

_____

CAMILLA M. HERLEVICH, ASSISTANT SECRETARY

CORPORATE SEAL

NORTH CAROLINA
COUNTY OF NEW HANOVER

I, Joanne S. Hoffman, a Notary Public in and for the County and State aforesaid, do hereby certify that CAMILLA M. HERLEVICH personally appeared before me this day and acknowledged that she is the Assistant Secretary of North Carolina Coastal Land Trust, a North Carolina Nonprofit Corporation, and that by the authority duly given as an act of the corporation, the foregoing instrument was signed in its name by its Vice-President and attested by its Assistant Secretary.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal this the 22nd day of November 2006.

_____

Notary Public Joanne S. Hoffman

My commission expires:

3-23-08

JOANNE S. HOFFMAN NOTARY PUBLIC NEW HANOVER COUNTY, NC